

RULES FOR THE CONSTITUTION OF THE TAMILNADU BOARD OF INDIAN MEDICINE.

(As approved in G.O. No. 3414, P.H. dated 30th July 1940 and as subsequently amended in G.Os. No. 1437, P.H. dated 3rd April 1941 No. 909, P.H. dated 19th April 1943; No. 2827, P.H. dated 19th August 1947; No. 3641, P.H. dated 3rd November 1947; No. 3191, P.H. dated 20th September 1948; No. 4313, P.H. dated 21st December 1948, G.O. Ms. No. 3029, P.H. dated 29-6-49, G.O. Ms. No. 2731, Health dated 22-8-1952; G.O. Ms. No. 2870, Health dated 31-7-53; G.O. Ms. No. 433 Health, dated 6-2-56, G.O. Ms. No. 1858, H. dated 31-10-90; G.O. Ms. No. 1869, Health, dated 31-10-90 and G.O. Ms. No. 1870, Health, dated 31-10-1990.)

1. Definition:- In these rules

- (a) "Board" means "The Tamilnadu Board of Indian Medicine, Madras."
- (b) "Government" means "The Government of Tamil Nadu."
- (c) "Prescribed" means "Prescribed by the Government by rules or orders".
- (d) "Registered practitioner" means "a practitioner registered by the Board".

2. Constitution:- 1. A Tamilnadu Board of Indian Medicine, shall be constituted for the State of Tamil Nadu consisting of thirteen members (including President) who shall be nominated by the Government.

The Secretary to Government, Health, Indian Medicine and Homoeopathy and Family Welfare Department is nominated as the Ex-Officio President.

- (2) Vice President of the Board shall be elected from among the members of the Board in the prescribed manner.
- (3) No person shall be eligible to be a member of the Board unless he is a registered practitioner of Indian Medicine.

3. Tenure of Office of members:- Every member of the Board shall, save as otherwise expressly provided, hold office for a period of five years from the date of publication of his ~~nomination~~ nomination in the Fort St. George Gazette and shall be eligible for ~~re-nomination~~ re-nomination.

4. Cessation of membership:- A member of the Board shall be deemed to have vacated his seat -

- (1) on sending his resignation in writing to the President;
- (2) on his absence at three consecutive meetings of the Board without cause which in the opinion of the Board shall be sufficient;
- (3) on his absence out of India for six consecutive months;
- (4) on removal of his name from the register;
- (5) on his being declared an insolvent by any competent court; or
- (6) on his expiry of the term mentioned in rule 3,

5. At the end of the register published as laid down in rule 3 there shall be entered a statement showing (1) the total number of persons at the beginning of the year (2) the number of persons added by registration during the year (3) the number restored to the register (4) the number erased from the register (5) the number removed by death and (6) the total number remaining at the end of the year.

Separate figures under each item for 'A', 'B' and 'C' class practitioners should also be entered in the statement referred to herein.

FORM OF REGISTERED PRACTITIONERS OF INDIAN MEDICINE

S.No.	Registration No.	Name of practitioner	Father's name/Husband's name	Sex	Date of birth	Address Clinic	Permanent postal address
1.	2.	3.	4.	5.	6	6(a)	6(b)

Qualification in Indian Medicine	Education and other qualifications if any.	Date of Registration	Remarks on renewal							
Title	Year of award	Institution where trained	University or other body awarding the qualification.	7(a)	7(b)	7(c)	7(d)	8.	9.	10.

ANNEXURE - II

Rule (i) deleted.

(11) Rules for the election of the Vice-President of the Tamilnadu Board of Indian Medicine.

(See rule 2(2))

1. The Vice President shall be elected by ballot at the first meeting of the Board in each calendar year. In the case of an equality in the number of votes balloted for two or more members of the Board the choice among such members shall be determined by lot.

1. The Vice-President shall ordinarily hold office till the first meeting of the Board in the succeeding year. He will be eligible for reelection.
2. If the elected Vice-President vacates his seat before the expiry of his term of office, a substitute shall be elected by ballot, but the Vice-President thus elected shall hold office only until the first meeting referred to in rule 2.

Functions of the Board:

1. The functions of the Board shall be to make proposals to Government or framing, amending, or cancelling rules relating to:
 - i. The working of the Board;
 - ii. The qualifications for medical officers to be employed by local bodies; or by Government or by both; and
 - iii. The qualifications of practitioners of Indian Medicine for the purpose of registration and for the maintenance of a register of such practitioners.
2. The Board may make proposals to the Government generally on all matters relating to Indian Medicine. It may also appoint sub-committees from among its members for the purposes mentioned above.

The rules framed for the convening of meetings of the Tamilnadu Board of Indian Medicine and for the conduct of business at such meetings as approved in G.O. Ms. No. 1340, P.H. dated 22nd June 1932.

MEETING

1. The Board shall ordinarily meet for the transaction of business on the first Monday of February provided that that day does not fall on a holiday when the meeting shall be held on the following Monday and on the last Monday in September or if this be a holiday, the previous Monday.
2. An extra-ordinary meeting of the Board, of which fifteen days notice shall be given, may be summoned by the President at any time and shall be summoned by him on a written requisition signed by not less than nine members of the Board.
3. All meetings of the Board shall be summoned by letter addressed to each member, stating the time and place of meeting.
4. The summons convening a meeting shall declare the purpose of the meeting, whether for General business or for any (Named) Special business; and at a meeting, which is for Special business, no business shall be entered on further than such as has named in the summons, unless the Board by resolution agree to consider such business.

5. Previously to any meeting of the Board a copy of the provisional programme of business shall be furnished to each member of the Board not less than seven days before the day of the meeting.

6. Any notice of motion to be inserted in the programme of business for the first day of the Session must be sent to the President so as to reach him at least fifteen clear days before the beginning of the session.

CONDUCT OF BUSINESS AT MEETING

7. The President shall preside at the meeting of the Board; in his absence the Board shall elect one of their own members to preside over the meetings.

8. All motions and amendments shall be in writing, shall be signed by the mover and before they are spoken by other members shall be read from the chair or by any other member under the authority of the chair.

9. Any motion standing over from the previous meeting shall take precedence of new matter unless the Board otherwise determines.

10. No motion or amendment shall be withdrawn after having been read from the chair or by the authority of the chair unless by permission of the Board.

11. The seconder of a motion may reserve his speech to any period of the debate; but only the proposer has the right of final reply.

12. Amendments to a motion shall be first put to vote, commencing with one moved last; if the last one be negatived that last but one will be disposed of in the same manner as the last and soon, until all amendments are disposed of.

13. Should every amendment be negatived the original motion shall be put to vote.

14. If any amendment be carried, the original motion so amended shall be regarded as a substantive motion. Amendments which are inconsistent with the one which has been carried shall be deemed to have fallen through.

15. In all cases where a division has taken place, any member of the Board may require that the names or the numbers or both the names and the numbers of the majority, of the minority of those who decline to vote, and of those who are absent, be entered in the minutes.

16. When a motion is under debate, no further proposals

shall be received except one of the following:-

- i. An amendment namely, "That the motion be amended follows ---"
- ii. The postponement of the question, namely "That the consideration of the motion be postponed."
- iii. The adjournment of the debate, namely "That the debate on the motion be now adjourned."
- iv. The adjournment of the Board, namely, "That the Board do now adjourn."
- v. The closure of the debate, namely, "That the Board do now proceed to vote on the motion."

17. When an amendment is under debate, no further proposal shall be received except one of the following:

- i. The adjournment of the debate on the amendment be now adjourned."
- ii. The adjournment of the Board, namely, "That the Board do now adjourn."
- iii. The closure of the debate on the amendment, namely "That the Board do now proceed to vote on the amendment."

18. The Proposal for the postponement of the question may specify a date for the further consideration of the question or be made Sine Die.

19. If the proposal for the adjournment of the debate be carried the Board shall pass to the next item of the programme of business, and the debate shall be resumed at the next meeting of the Board. The proposer of the adjournment shall, on the resumption of the debate, be entitled to speak first.

20. If the proposal for the adjournment of the Board be carried the question under debate shall be dropped from the programme of business.

21. On the proposal for the adjournment of the Board being made and seconded, it shall be competent for the President or Chairman before putting the question, to take the opinion of the Board as to whether it will, before rising, proceed to the transaction of unopposed business.

22. The proposal for the closure shall be made and seconded without debate, and shall unless the President or Chairman rules otherwise be put forthwith. Should the proposal be carried the motion or amendment under debate shall be at once voted on by the Board.

RULE:
(G,
shal
the
poss
Indi
exam
and
of t
Vaid
into
Clas
Sche
Clas
abov
Clas
for
end
min
worl
cho
eit
tha
Gnd
res
rec
res
oth
if
fre
an
ch
th

RULES FOR THE REGISTRATION OF PRACTITIONERS OF INDIAN MEDICINE
(G.O.Ms.No.1868, Health, dated 31-10-1990.)

That the Persons possessing any of the following qualifications shall be eligible for registration :-

1) The Medical qualifications recognised and included in the Schedules of the Indian Medicine Central Council Act, 1970.

ii) Other practitioners of Indian Medicine who do not possess any of the qualifications included in the schedule of Indian Medicine Central Council Act, 1970 but who have passed any examination recognised by the Tamil Nadu Board of Indian Medicine and approved by Government and who satisfy Section 17(3)(c) of the Indian Medicine Central Council Act, 1970.

iii) Persons who have undergone the course of Village Vaidyas.

2. Persons registered under these rules shall be divided into three classes as noted below:-

Class A: Persons possessing qualifications included in the Schedule, of Indian Medicine Central Council Act, 1970.

Class B: Persons possessing qualifications as per rule 1(ii) above.

Class C: Practitioners who have undergone the training prescribed for Village Vaidyas and passed the examination conducted at the end of the course and whose qualification denotes at least a minimum standard of professional training to undertake medical work and in addition inoculation work during epidemics of cholera and small-pox.

3. Every persons applying for registration must have either his/her place of residence of practice in Tamil Nadu and that he/she has not been registered in any other State.

4. Every person who has registered with this Board should invariably notify to this Board change of his/her residence/practice within 60 days of such transfer and on receipt of his/her intimation, the change of address of residence/practice will be incorporated in the State Register.

5. "A person who has shifted residence/practice from any other State shall be eligible for registration with this Board if he/she produces a certificate regarding the registration from the State Board in which he/she had originally registered and also produce evidence that the person has notified the change of address to the Board which he/she had registered and that the change has been incorporated in that Register".

6. Every person who applies for registration shall pay a registration fee of Rs. 100/- (Rupees one hundred only) in Treasury or any branches of State Bank of India in Tamil Nadu. In addition to this amount, a stamp duty of Rs. 3.00 (Rupees three only) in the form of Postal Order drawn in favour of President, Tamil Nadu Board of Indian Medicine should be sent.

7.(a) Every person whose name has been entered in the register of practitioners of the Board shall be issued a certificate of Registration in the prescribed form under the hand and seal of the President.

(b) Where it is shown to the satisfaction of the Registrar that the certificate of Registration issued under Class (a) has been lost or destroyed or mutilated the Registrar, may on payment of a fee of Rs. 25/- (Rupees twenty five only) and a stamp duty of Rs. 3.00 (Rupees three only) by way of Postal Order issue a duplicate thereof by the President. The word 'duplicate' shall be clearly shown in red ink across a duplicate certificate.

8.(a) Any Medical practitioner registered with this Board obtains any title, diploma or other qualification for proficiency in Indian Medicine shall on application made in this behalf in the prescribed manner be entitled to have the classification changed or to have an entry made stating such of the titles, diploma or other qualification against his name in the Register either in substitution or in addition to any entry previously made.

(b) Every person who applies to the Board under the rule (a) above shall pay Rs. 10/- (Rupees ten only) in the Treasury or in any branch of State Bank of India, Tamil Nadu.

9. Every registered practitioners of Indian Medicine who applies for registration under a new name shall also pay the fees prescribed in 8(b) above.

10. The Government may either suo motu or otherwise revise any order passed by the Board under the rules in the section.

11. Any registered practitioner in Indian Medicine may make an application to the Board for the deletion of his name from the Register of Practitioners of Indian Medicine and the Board may on such application, direct such deletion subject to the following conditions:-

(1) No application from a registered practitioner of Indian Medicine for the deletion of his name from the Register of Practitioners of Indian Medicine shall be considered during the pendency of any disciplinary proceedings against him or in case any disciplinary proceedings are contemplated against him until such proceedings are commenced and during the pendency thereof.

(2) If any such application is made with a view to enable the applicant to pursue a course of conduct which would have brought him under the disciplinary jurisdiction of the Board, had his name continued to remain on the register, it shall be rejected.

(3) Any such practitioner may apply for fresh registration under rules in force at the time of such fresh application.

12. The Board may direct that the name of any practitioner who has been convicted of any offence which involves moral turpitude and which in the opinion of the Board renders him unfit to practice his profession shall not be entered in or shall be removed from the Register of Practitioners.

- Provided that it shall be open to the Board for sufficient reason to direct that the name of the practitioner whose name has not been entered shall be entered and whose name has been removed shall be re-entered in the Register of Practitioners of Indian Medicine.

13. Every person whose name has been entered in the Register of Practitioners shall get such entry renewed once in five years. The first renewal would be made from 1-1-1990 irrespective of the date of registration. The registration expired on the 31st December of the year shown therein and it must be renewed on a date not later than the last day in the month of January next. Every registered Medical Practitioners who apply for renewal of registration shall pay a fee of Rs.10/- (Rupees ten only).

14. A registered practitioner for failure to renew the registration in time shall pay to the Board of penalty of Rs.10/- (Rupees ten only) along with renewal fee within three months from the due date.

If the renewal fee is not paid even after the extended date with penalty, the Registrar shall remove the name of practitioner concerned from the Register of Practitioners and on such removal the certificate of Registration issued to the practitioner informed of such removal. The fact of such removal shall also be published in the Official Gazette.

Provided that the name so removed may be re-entered in the said Register on payment of a fee of Rs.50/- (Rupees fifty only) within one year on application to the Board and a new certificate of Registration may be issued.

RULES FOR THE REGISTRATION OF TRADITIONALLY TRAINED OR/ HEREDITARY PRACTITIONERS OF INDIAN MEDICINE IN TAMILNADU
(G.O.Ms.No.1869, Health, I.M.&H.&F.W. Department dt.31-10-80)

1. These rules shall be called "Rules for the Registration of Traditionally trained/or hereditary practitioners of Indian Medicine."
..10.

5. Filling up vacancies: When the seat of any member becomes vacant, the vacancy shall be filled up by nomination, in accordance with the provisions of rule 2.
6. Register of Practitioners: Ex-Officio President shall maintain a register of Practitioners of Indian Medicine arranged in the alphabetical order, revise from time to time and publish it in the prescribed manner.

ANNEXURE - I

(Rules under Rule 6 of G.O. Ms. No. 3474, P.H. dated 30-7-1940)
RULES FOR THE COMPILATION AND PUBLICATION OF THE REGISTER OF PRACTITIONERS OF INDIAN MEDICINE.

(G.O. Ms. No. 1970, Health, dated 31-10-1990)

1. The Register of practitioners of Indian Medicine shall be maintained by the President in the form prescribed below in three parts:
Part I: Class A: Persons possessing qualifications as per schedule of Indian Medicine Central Council Act, 1970
Part II: Class B: Persons Registered as per rule (1) (i) of Rules for the Registration of practitioners of Indian Medicine.
Part III: Class C: Village Vaidyas.
2. The Register shall be verified by the President's signature.
3. In the month of March every year, the Register shall be published, the register prescribed above and correct upto 31st December immediately preceding, the names being arranged in the alphabetical order inscribing the expression (w) in the case of women, after their names.
- 4(a) Where the address of any practitioner is not known or found to be incorrect, the President shall write to the Practitioner at his or her last known address and ask the practitioner to furnish his/or her correct address. The President may also make other endeavours to ascertain the correct address.
(b) If no information regarding the correct address is received from the practitioners or from any other authentic source, the words "Address unknown" shall be entered in the address column of the register against the name of the practitioners.
(c) Where authentic information is available that a practitioner is dead, the President shall delete his name from the register.

in the form of Postal Order, drawn in favour of the President, Tamil Nadu Board of Indian Medicine.

1982. 13. The President, Tamil Nadu Board of Indian Medicine shall register immediately in B Class the name of practitioners from the list approved by the Government and who have paid the registration fee and stamp duty and send the certificate of Registration to the applicants concerned. The list of registered applicants shall be placed before the Board.
14. Those registered as B Class practitioners can undertake only medical work. They shall not be entitled to sign or authenticate a medical or fitness certificates or any other certificates required by any law to be signed or authenticated by a duly qualified medical practitioners. They will be eligible for appointment in the rural dispensaries of Indian Medicine, when A class and B class practitioners are not available for such appointment.
15. Those registered shall be bound by the code of medical ethics laid down by the Board.

SECTION - II

RULES GOVERNING ENQUIRIES BY THE TAMIL NADU BOARD OF INDIAN MEDICINE, MADRAS, OR A COMMITTEE THEREOF.

The following rules shall regulate the procedure to be adopted for revoking or cancelling the registration of those who abuse the privilege of registration:-

(i) The Board may refuse to permit the registration of any person who has been convicted of any such offence as implies, in the opinion of the Board, a defect of character, or who, after an enquiry at which an opportunity, has been given to the candidate to be heard in person or by pleader, has been guilty of professional misconduct.

(ii) The Board may, if it sees fit, and after giving due notice to the person concerned and inquiring into his objections, if any, order that any entry in the register which shall be proved to the satisfaction of the Board to have been fraudulently or incorrectly made or brought about, be cancelled or amended.

(iii) The Board may, after holding an enquiry at which an opportunity has been given to the person concerned to be heard in person or by pleader, direct the removal altogether, for a special period, from the register of the name of any registered practitioner, for the same reasons for which registration may be refused by the Board under rule (i) above. The Board may also direct that any name so removed shall be restored.

(iv) An enquiry under the above rules may be held by a Committee consisting of five members of the Board elected for the purpose by the Board. The Board or the Committee, as the case may be, may, at its discretion, hold such an enquiry in camera. The decision of the Committee shall be deemed to be the decision of the Board.

(v) An appeal shall lie to the Local Government against every decision of the Board under rules (i) to (iv) above. Such appeal shall be preferred within three months from the date of the Board's decision. The Local Government may suo moto revise any order passed by the Board or the Committee as the case may be under rules (i) to (iv) above.

(vi) Whenever information is received that a medical practitioner who is an applicant for registration, or whose name has already been registered has been guilty of conduct which prima facie constitutes professional misconduct, the Registrar shall make an abstract of such information.

(vii) Where the information in question is in the nature of a complaint by a person or body charging a medical practitioner with professional misconduct, such complaint shall be made in writing addressed to the Registrar and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the facts of the case.

(viii) Every declaration must state the description and true place of abode of the declarant; and where the facts stated in a declaration are not within the personal knowledge of the declarant, the source of the information and grounds for the belief of the declaration in its truth must be accurately and fully stated.

(ix) (a) The abstract and, where a complaint has been lodged, the complaint, and all other documents bearing on the case, shall be submitted by the Registrar to the President, who may, if he thinks fit, instruct the Registrar to furnish the medical practitioner concerned with a copy of the complaint and other documents and invite him by means of a registered letter to submit any explanation he may have to offer. The documents, including any explanation submitted by the practitioner to the Registrar, shall then be placed before the Board.

The Board may then ---

1. order that all further proceedings be stopped; or
2. appoint a Committee to consider the matter and submit a report to the Board as to whether proceedings should be instituted under rules (i) to (ii) above; or
3. direct that a regular inquiry be held by the Board or a Committee thereof appointed under rule (iv) above.

A Committee appointed to make a preliminary inquiry shall have power to cause further investigation to be made and further evidence to be taken and to take any legal advice or procure any assistance it may think necessary. The Committee shall report to the Board.

(b) If the Board consider that the case is one in which an inquiry under rule (i) or rule (ii) or rule (iii) above ought to be held, the President shall direct the Registrar to take steps for the institution of any inquiry and for having the case heard and determined by the Board.

In complicated cases where legal assistance is considered necessary for conducting inquiries, the Government may be addressed to instruct the Assistant Public Prosecutor or the Assistant State Prosecutor to conduct the inquiry before the Board or the Committee as the case may be."

(G.O.Ms.No.1822, Health, dated 17-6-57.)

(x) The Board or Committee thereof appointed under rule (iv) above shall observe in inquiries held by them the procedure laid down in the following rules.

(xi) When the charge is brought by a complainant they shall require the complaint to be reduced to writing and accepted by the complainant. The articles of charge and a list of documents and witnesses by which each charge is to be sustained shall then be prepared and the Registrar shall issue a notice in writing on behalf of the Board addressed to the Medical Practitioner concerned. Such notice shall be accompanied by a copy of the articles of charge and list of witnesses and documents referred to above and shall inform the medical practitioner concerned, of the day on which and hour at which the Board or Committee intend to deal with the case and shall call upon him to attend before the Board or Committee on that day and hour. The notice shall be in the form appended to these rules, with such variations as circumstances may require. It shall be served on the medical practitioner fifteen clear days before the beginning of the inquiry and shall be accompanied by a copy of rules (i), (ii) and (iv) above and of the rules to regulate the procedure for conducting any inquiry referred to in those rules. Service of the Notice may be made either by delivery to the medical practitioner in person or by registered letter addressed to his usual residence.

(xii) In every case in which the Board resolve that an inquiry shall be instituted and notice of inquiry is issued accordingly, the complainant (if any) and the medical practitioner concerned shall, upon request in writing signed by the party or his pleader, be entitled to be supplied by the Registrar with a copy of any declaration, explanation, answer or other document given or sent to the Board by or on behalf of the other party, which such other party will be entitled on proper proof to use at the hearing as evidence in support of, or in answer to, the charge specified in the notice of inquiry.

(xiii) Any answer, evidence, or statement forwarded, or application made by the medical practitioner between the date of the issue of the notice and the day named for the hearing of the charge, shall be dealt with by the President in such manner as he shall think fit.

(xiv) Copies of all material documents which are laid before the Board or Committee as evidence in regard to the case shall be made and furnished to each member of the Board or Committee as the case may be before the hearing of the case.

(xv) At the hearing of the case by the Board or Committee the complainant and also the medical practitioner concerned may, if they so desire, be represented or assisted by pleaders.

(xvi) When the complainant appears personally or by pleader the order of procedure shall be as follows:-

(a) The complainant shall exhibit the articles of charge to the Board or Committee, which shall be openly read.

(b) The medical practitioner concerned shall then be called upon to plead "guilty" or "not guilty" to each of them, which plea shall forthwith be recorded with the articles of charge. If the medical practitioner refuses or without reasonable cause neglects to appear to answer the charge either personally or by pleader, he shall be taken to admit the truth of the articles of charge.

(c) The complainant may then address the Board or Committee in explanation of the articles of charge and of the evidence by which they are proved.

(d) The oral and documentary evidence shall then be exhibited. The witnesses shall be examined by or on behalf of the complainant and may be cross-examined by or on behalf of the medical practitioner concerned. The complainant shall then be entitled to re-examine the witnesses on any point on which they have been cross-examined. No questions should be asked in re-examination on any new matter without leave of the Board. The Board or Committee may put such questions as they think fit.

(e) If, before the close of the case for the complainant, it shall appear necessary, the Board or Committee may, in their discretion, allow the complainant to exhibit evidence not included in the list furnished to the medical practitioner concerned or may themselves call for new evidence, and in such case the medical practitioner shall be entitled to have, if he demands it, an adjournment of the proceedings for three clear days, before the exhibition of such new evidence, exclusive of the day of adjournment and of the day to which the proceedings are adjourned.

(f) When the case for the complainant is closed, the medical practitioner concerned shall be required to make his defence, orally or in writing, as he shall prefer. If made in writing, it shall be openly read and a copy shall be given at the same time to the complainant.

(g) The evidence for the defence shall then be exhibited, and the witnesses examined, who shall be liable to cross-examination and re-examination and to examination by the Board or Committee in the same manner as the witnesses for the complainant.

(h) The Board or Committee or some persons appointed by them shall take notes in English of all the oral evidence, which shall be read aloud to each witness by whom the same